

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alaia et al. :  
Serial No.: Not yet known :  
Filed: April 11, 2001 :  
For: Method and System for :  
Conducting Electronic :  
Auctions :

Examiner: Not yet known  
Group No.: Not yet known  
Attorney Docket No.: 46700-5004-10

#3  
29  
7/8/01  
JC978 U.S. PTO  
09/832437  
04/11/01

INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. §§ 1.56 ET SEQ.

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

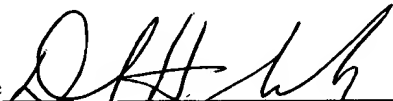
In accordance with 37 C.F.R. § 1.97(b), the above-identified Applicants cite the following patents and publications, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. In compliance with 37 C.F.R. § 1.98(d), copies of the patents and publications set forth below and listed on the attached Form PTO-1449 (6 sheets) have not been provided because they were cited in parent application no. 09/311,555.

\* \* \* \* \*  
**EXPRESS MAIL CERTIFICATE (37 C.F.R. § 1.10)**

Express Mail Label No. EL524687755US Date of Deposit April 11, 2001

I hereby certify that this paper, and the papers and/or fees referred to herein as transmitted, submitted or enclosed, are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Name Daniel H. Golub

Signature 

Patent Number	Patentee	Issue Date
5,629,982	Micali	5/1997
5,803,500	Mossberg	9/1998
5,826,244	Huberman	10/1998
5,835,896	Fisher, et al.	11/1998
5,890,138	Godin, et al.	3/1999
5,905,974	Fraser, et al.	5/1999
6,021,398	Ausubel	2/2000
6,023,685	Brett, et al.	2/2000
5,799,151	Hoffer	8/25/98
5,802,502	Gell, et al.	9/1/98
5,797,127	Walker, et al.	8/18/98
4,845,625	Stannard	7/4/89
4,992,940	Dworkin	2/12/91
5,136,501	Silverman, et al.	8/4/92
5,193,056	Boes	3/9/93
5,243,515	Lee	9/7/93
5,297,032	Trojan, et al.	3/22/94
5,375,055	Togher, et al.	12/20/94
5,394,324	Clearwater	2/28/95
5,402,336	Spiegelhoff, et al.	3/28/95
5,606,602	Johnson, et al.	2/25/97
5,664,115	Fraser	9/2/97
5,684,963	Clement	11/4/97
5,689,652	Lupien, et al.	11/18/97
5,715,402	Popolo	2/3/98
5,727,165	Ordish, et al.	3/10/98
5,758,327	Gardner, et al.	5/26/98
5,758,328	Giovannoli	5/26/98
5,765,138	Aycock, et al.	6/9/98

<b>Patent Number</b>	<b>Patentee</b>	<b>Issue Date</b>
5,774,873	Berent, et al.	6/30/98
5,794,207	Walker, et al.	8/11/98
5,794,219	Brown	8/11/98

<b>Patent Number</b>	<b>Country or Patent Office</b>	<b>Publication Date</b>
97/37315	PCT	10/9/97

#### Other Documents

“FairMarket Launches New Self-Serve Auctions”, Business Wire, p6161495, June 16, 1998

Business Wire, Business Editors; “SHAWMUT NATIONAL will auction \$46 million in commercial real estate in December” November 3, 1992.

Vigorouso, Mark, “Buyers prepare for brave new world of e-commerce.” Purchasing, v126, n6, pS4(1), April 22, 1999.

Sold!...To the Lowest Bidder”, Computer Finance, v6, n2, July 1995

Von det Fehr, et al., “Predatory bidding in sequential auctions”, Oxford Economics Papers, v46, n3, p345 (12) July 1994

Danny Cohen, “Computerized Commerce” Information Processing 89 (August 28 - September 1, 1989)

Jean-Pierre Banatre, et al., “The Design and Building of Enchere, a Distributed Electronic Marketing System” Communications of the ACM, No. 1 (January 29, 1986)

Wilder, “What’s Your Bid? - FreeMarkets’ real-time online bidding technology lets clients drive down the costs and improve product value, November 10, 1997, Information Week

Malone, et al., “The Logic of Electronic Markets”, Harvard Business Review, No. 89311 (May-June, 1989)

Freemarkets™ Online, Bidware Manual” (6/9/1988)

Freemarkets Online™, “Online Industrial Market Making, An Overview of Purchasing Executives”

WebAuction.com, “How to Play” (1998)

Auction Sales, “Live Auctions Online” (9/1998)

Auction Port, “Online Auction Community - New Auctions Since 9/2/98” (7/98)

OnSale, “How to Play” (1998)

u-Auction-It™ (1997)

Freemarkets Online™, "Homepage" (1998)

Andrews, "Auctions Catch the Interest of Hobbyists and Big Business", August 24, 1998

Associated Press, "Auction on Web is Buyer's Market", April 6, 1998

Steinert-Threlkeld, "New Watchwords: Let Sellers Beware", June 1, 1998

Woolley, "E-muscle", March 9, 1998

Associated Press, "FreeMarkets Takes Auction on Internet", February 23, 1998

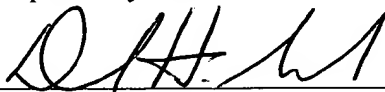
Jahnke, "How Bazaar" (8/27/98)

Applicants respectfully request that these items be considered by the Examiner, and that the Examiner acknowledge consideration of these references by initialing and returning copies of the enclosed Form PTO-1449 with the next official action.

While this Information Disclosure Statement may be "material" pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention or otherwise material to the patentability of this invention as defined in 37 C.F.R. § 1.56.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists.

Respectfully submitted,



Daniel H. Golub

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Attorney for Applicant

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Dated: April 11, 2001

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(MODIFIED) PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.  
46700-5004-10

SERIAL NO.  
Not yet known

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT  
(Use several sheets if necessary)

(37 C.F.R. § 1.98(b))

APPLICANT

ALAIA et al.

FILING DATE

04/11/01

GROUP

JC978 U.S. PTO  
09/032437  
04/11/01

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A	5	6	2	9	9	8	2	5/1997	Micali	380	30	
	B	5	8	0	3	5	0	0	9/1998	Mossberg	283	67	
	C	5	8	2	6	2	4	4	10/1998	Huberman	705	37	
	D	5	8	3	5	8	9	6	11/1998	Fisher et al.	705	37	
	E	5	8	9	0	1	3	8	3/1999	Godin et al.	705	26	
	F	5	9	0	5	9	7	4	5/1999	Fraser et al.	705	37	
	G	6	0	2	1	3	9	8	2/2000	Ausubel	705	37	
	H	6	0	2	3	6	8	5	2/2000	Brett et al.	705	37	
	I	5	7	9	9	1	5	1	8/25/98	Hoffer	395	200.34	7/24/94
	J	5	8	0	2	5	0	2	9/1/98	Gell et al.	705	37	4/26/94
	K	5	7	9	7	1	2	7	8/18/98	Walker et al.	705	5	12/31/96

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION	
													YES	NO
	L	9	7	3	7	3	1	5	10/9/97	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)

	M	"FairMarket Launches New Self-Serve Auctions.", Business Wire, p6161495, June 16, 1998											
	N	Business Wire, Business Editors; "SHAWMUT NATIONAL will auction \$46 million in commercial real estate in December", November 3, 1992.											
	O	Vigoroso, Mark, "Buyers prepare for brave new world of e-commerce." Purchasing, v126, n6, pS4(1), April 22, 1999.											
	P	"Sold!... To the Lowest Bidder", Computer Finance, v6, n2 July 1995											

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (MODIFIED) PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 C.F.R. § 1.98(b))	ATTY. DOCKET NO. 46700-5004-10	SERIAL NO. Not yet known
	APPLICANT ALAIA et al.	
	FILING DATE 04/11/01	GROUP

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	Q	4	8	4	5	6	2	5	7/4/89	Stannard	364	407	4/29/87
	R	4	9	9	2	9	4	0	2/12/91	Dworkin	364	401	3/13/89
	S	5	1	3	6	5	0	1	8/4/92	Silverman et al.	364	408	5/26/89
	T	5	1	9	3	0	5	6	3/9/93	Boes	364	408	3/11/91
	U	5	2	4	3	5	1	5	9/7/93	Lee	364	401	10/30/90
	V	5	2	9	7	0	3	2	3/22/94	Trojan et al.	364	408	2/1/91
	W	5	3	7	5	0	5	5	12/20/94	Togher et al.	364	408	2/3/92
	X	5	3	9	4	3	2	4	2/28/95	Clearwater	364	402	12/8/93
	Y	5	4	0	2	3	3	6	3/28/95	Spiegelhoff et al.	364	401	1/15/93
	Z	5	6	0	6	6	0	2	2/25/97	Johnson et al.	379	115	11/6/95
	AA	5	6	6	4	1	1	5	9/2/97	Fraser	705	37	6/7/95

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		BB	Von det Fehr et al.; "Predatory bidding in sequential auctions", Oxford Economics Papers, v46, n3, p345 (12) July 1994
		CC	Danny Cohen, "Computerized Commerce" Information Processing 89 (August 28-September 1, 1989)
		DD	Jean-Pierre Banatre, et al., "The Design and Building of Enchere, a Distributed Electronic Marketing System" Communications of the ACM, No. 1 (January 29, 1986)
		EE	Wilder, "What's Your Bid? - FreeMarkets' real-time online bidding technology lets clients drive down costs and improve product value, November 10, 1997, Information Week

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EXAMINE R INITIAL	PATENT NUMBER								ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FF	5	6	8	4	9	6	3		11/4/97	Clement	395	226	3/20/95
GG	5	6	8	9	6	5	2		11/18/97	Lupien et al.	395	237	4/27/95
HH	5	7	1	5	4	0	2		2/3/98	Popolo	395	237	11/9/95
II	5	7	2	7	1	6	5		3/10/98	Ordish et al.	395	237	12/27/94
JJ	5	7	5	8	3	2	7		5/26/98	Gardner et al.	705	26	11/1/95
KK	5	7	5	8	3	2	8		5/26/98	Giovannoli	705	26	2/22/96
LL	5	7	6	5	1	3	8		6/9/98	Aycock et al.	705	7	8/23/95
MM	5	7	7	4	8	7	3		6/30/98	Berent et al.	705	26	3/29/96
NN	5	7	9	4	2	0	7		8/11/98	Walker et al.	705	23	9/04/96
OO	5	7	9	4	2	1	9		8/11/98	Brown	705	37	2/20/96

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	PP	Malone et al., "The Logic of Electronic Markets", <u>Harvard Business Review</u> , No. 89311 (May-June, 1989)
	QQ	Freemarkets™ Online, "Bidware Manual" (6/9/1988)
	RR	Freemarkets Online™, "Online Industrial Market Making, An Overview of Purchasing Executives"
	SS	WebAuction.com, "How to Play" (1998)

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	TT	Auction Sales, “Live Auctions Online” (9/1998)
	UU	Auction Port, “Online Auction Community – New Auctions Since 9/2/98” (7/98)
	VV	OnSale, “How to Play” (1998)
	WW	u-Auction-It™ (1997)

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	XX	Freemarkets Online™, "Homepage" (1998)
	YY	Andrews, "Auctions Catch the Interest of Hobbyists and Big Business", August 24, 1998
	ZZ	Associated Press, "Auction on Web is Buyer's Market", April 6, 1998
	A'	Steinert-Threlkeld, "New Watchwords: Let Sellers Beware", June 1, 1998

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